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19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**

21 DELPHINE ALLEN, et al.,
22 Plaintiffs,
23
24 v.
25 CITY OF OAKLAND, et al.,
26 Defendants.

Master Case No.: C00-4599 TEH (JL)

**STIPULATION AND ORDER RE:
SECTION III. D. 1 (TASK 4) OF THE
SETTLEMENT AGREEMENT**

[Honorable Thelton E. Henderson]

STIPULATION

IT IS HEREBY STIPULATED by and between the parties that Section III. D. 1 (Task 4) is hereby amended as follows to reflect policy and procedure revisions regarding the Informal Complaint Resolution process.

Section III, D. 1 (Task 4), "Complaint Control System for IAD," shall read as follows:

D. Complaint Control System for IAD

1. Within 90 days, OPD shall develop a policy regarding an informal complaint resolution process which may be used by supervisors and IAD to resolve service complaints and Class II violations that do not indicate a pattern of misconduct as described in Section III, paragraph H (2). This process shall document the receipt of the complaint, date, time, location, name or the person making the complaint, the name of the person receiving the complaint, how the matter was resolved and that the person making the complaint was advised of the formal complaint process. The documentation shall be forwarded to an IAD Commander for review. If the informal complaint resolution process fails to resolve the complaint or if the person making the complaint still wishes to make a formal complaint, the person receiving the complaint shall initiate the formal complaint process pursuant to Section III, paragraph E. An IAD Commander shall make the final determination whether the ICR process will be utilized to resolve the complaint. The reason for his/her decision shall be documented in the Chronological Activity Log. OPD personnel shall not unduly influence persons making a complaint to consent to the informal complaint resolution process.

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1 Dated: November 20, 2008

OAKLAND CITY ATTORNEY'S OFFICE

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4 By: /s/
ROCIO V. FIERRO, Attorneys for Defendant
5 CITY OF OAKLAND

6 Dated: November 20, 2008

RAINS, LUCIA & STERN, PC

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9 By: /s/
ROCKNE LUCIA, Attorney for Interveners
10 OAKLAND POLICE OFFICERS ASSOCIATION

11 Dated: November 20, 2008

LAW OFFICES OF JAMES B. CHANIN

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14 By: /s/
JAMES B. CHANIN, Attorney for Plaintiffs

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16 Dated: November 20, 2008

LAW OFFICES OF JOHN BURRIS

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18 By: /s/
19 JOHN L. BURRIS, Attorney for Plaintiffs

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21 ATTORNEY ATTESTATION

22 I hereby attest that I have on file all holograph signatures for any signatures
indicated by a "conformed" signature (/s/) within this E-filed document.

23 Dated: November 24, 2008

/s/
24 GREGORY M. FOX

ORDER

IT IS HEREBY ORDERED that Section III.D.1 (TASK 4) of the Settlement Agreement approved by this Court on or about January 22, 2003, is hereby revised and modified, consistent with the terms of the Parties' Stipulation.

IT IS SO ORDERED.

Dated: 11/25/08

